

## KENTUCKY REAL ESTATE APPRAISERS BOARD

### TYPE OF MEETING

Regular Meeting

### DATE AND LOCATION

November 21, 2014 - Board Office

### PRESIDING OFFICER

Harold Brantley, Chair

### ROLL CALL

Present:

Harold Brantley, Chair  
Kathy Mayfield, Board Member  
Thomas Oliver, Board Member

Present Also:

Larry Disney, Executive Director  
Tom Veit, Executive Assistant  
Angie Thomas, Staff Assistant  
Kim Mathias, Executive Secretary  
Brian Judy, Attorney General Office

Chair, Harold Brantley opened the meeting and welcomed the guest in attendance.

### MINUTES

Motion by Thomas Oliver, second by Kathy Mayfield and the Board unanimously approved the October 24, 2014 minutes. Roll call –Kathy Mayfield – Yes; Thomas Oliver - Yes.

### EDUCATION

Motion by Thomas Oliver, second by Kathy Mayfield and the Board unanimously approved the following education courses for Fiscal Year 2014-2015. Roll call – Kathy Mayfield – Yes; Thomas Oliver - Yes.

A. Appraisal University

- (1) Appraising Historic Property 301 – 7 hours CE online
- (2) Practices and Pitfalls for the Residential Appraiser 302 – 9 hours CE online
- (3) Site Analysis and Valuation 402 – 7 hours CE online
- (4) Retail Center Analysis for Financing 602 – 7 hours CE online
- (5) 2014-15 – National USPAP Update Equivalent Course 915 – 7 hours CE online

B. American Society of Farm Managers & Rural Appraisers (ASFMRA)

- (1) National USPAP Course – 15 hours QE classroom

C. McKissock

- (1) Marcellus Shale and Appraisers – 3 hours CE classroom
- (2) Expert Witness Testimony: To Do or Not to Do – 7 hours CE classroom

Motion by Kathy Mayfield, second by Thomas Oliver and the Board unanimously approved the following education course for Fiscal Year 2014-2015. Roll call – Kathy Mayfield – Yes; Thomas Oliver – Yes.

A. Appraisal Institute

- (1) Supervisory Appraiser/Trainee Appraiser Course – 4 hours CE classroom. This course will not be approved in lieu of the KREAB Supervisor/Associate course.

## EXPERIENCE REVIEW

Motion by Thomas Oliver, second by Kathy Mayfield and the Board unanimously approved the following experience. Roll call – Kathy Mayfield – Yes; Thomas Oliver – Yes.

- A. Christopher Allen – Approve experience for Certified Residential. He must pass the certified residential exam.
- B. Brian Davis – Approve experience for Certified General. He must pass the certified general exam.
- C. Scott Leggett – Approve experience for Certified Residential. He must pass the certified residential exam.
- D. Christin West – Approve experience for Certified Residential. She must pass the certified residential exam.

## CERTIFICATION/LICENSURE

- A. Approval – Appraisers – Motion by Thomas Oliver, second by Kathy Mayfield and the Board voted to approve the following certification list of appraisers. Roll call – Kathy Mayfield – Yes; Thomas Oliver – Yes.

- (a) Rebecca L. Bridges – Certified Residential
- (b) David E. Burgoyne – Certified General (MI)
- (c) Mark A. Conner – Certified General (TN)
- (d) Matthew D. Curl – Certified General (GA)
- (e) Dean E. Dawson – Certified General (WV)
- (g) Michelle J. Koetter – Certified General (IN)
- (h) Brett Naugle – Certified General (IL)
- (i) Jonathan C. Langford – Certified General (GA)

B. Approval – Appraiser – Motion by Thomas Oliver, second by Kathy Mayfield and the Board voted to approve the following appraiser. Larry Disney stated he did not have any roll in reviewing information or in the approval of this appraiser. Roll call – Kathy Mayfield – Yes; Thomas Oliver - Yes.

- (a) Jason Disney – Certified General

C. Applicant for Certified General IL with prior conviction – Motion by Thomas Oliver, second by Kathy Mayfield and the Board voted to approve the application of Brett Naugle. Roll call – Kathy Mayfield – Yes; Thomas Oliver - Yes.

D. Applicant for AMC with two owners with prior convictions – Motion by Kathy Mayfield, second by Thomas Oliver and the Board voted to approve the application of SWBC Lending Solutions, LLC. Roll call – Kathy Mayfield – Yes; Thomas Oliver - Yes.

E. Applicant for Certified Residential TX with prior sanction – Motion by Thomas Oliver, second by Kathy Mayfield and the Board voted to deny application of Randy Castillo based upon the findings of the Texas Appraisers Board final order. The Board request the Executive Director and Brian Judy, Board Counsel, work with Mr. Castillo in deciding if a Chapter 13B hearing is requested or if he will agree that he will not supervise any supervise any appraisal trainees (Associate) within the State of Kentucky for so long as he holds a Kentucky real property appraiser credential. Roll call – Kathy Mayfield – Yes; Thomas Oliver – Yes.

## COMPLAINT

A. The Board reviewed the Case Summary Chart. Tom Veit reported 40 cases filed for 2014 and 8 open appraiser investigations and 3 open AMC investigations.

B. Case No. 14-29 – Motion by Thomas Oliver, second by Kathy Mayfield and the Board voted unanimously to enter into an informal settlement process and if not successful file and set the case for a hearing. Roll call –Kathy Mayfield – Yes; Thomas Oliver - Yes.

- C. Case No. 14-36 · Motion by Thomas Oliver, second by Kathy Mayfield and the Board voted unanimously to enter into an informal settlement process and if not successful file and set the case for a hearing. Roll call –Kathy Mayfield – Yes; Thomas Oliver · Yes.
- D. Case No. 14-26 · Motion by Thomas Oliver, second by Kathy Mayfield and the Board voted unanimously to dismiss the case. Roll call –Kathy Mayfield – Yes; Thomas Oliver · Yes
- E. Case No. 14-27 · Motion by Kathy Mayfield, second by Thomas Oliver and the Board voted unanimously to dismiss the case. Roll call –Kathy Mayfield – Yes; Thomas Oliver – Yes.
- F. Case No. 14-07 AMC –Motion by Thomas Oliver, second by Kathy Mayfield and the Board voted unanimously to dismiss the case with a letter of warning. Roll call –Kathy Mayfield – Yes; Thomas Oliver – Yes.
- G. Case No. 14-15 – Kenneth Darnell · Motion by Kathy Mayfield, second by Thomas Oliver and the Board unanimously accepted the agreed order. Roll call –Kathy Mayfield – Yes; Thomas Oliver · Yes.
  - (a) Darnell shall be fined the sum of \$1,000.00 with total amount to be paid prior to returning to Active Status.
- H. Case No. 14-32 – Request to reopen case – After review of the additional documentation submitted by Getty Law Group the Board determined that the information did not reveal violations of KRS 324A, 201 KAR Chapter 30 or Uniform Standards of Professional Appraisal Practice. Motion by Kathy Mayfield, second by Thomas Oliver and the Board denied the request to reopen the case. Roll call –Kathy Mayfield – Yes; Thomas Oliver · Yes.
- I. Cases on Appeal
  - (1) Lynn Prichard – 04-63 –12-10, 12-11, 12-12, 12-25, 12-26 · Briefing will be filed
  - (2) Matt Miniard · 10-18 – Court of Appeals. The Court has not ruled on the case. – Filing brief · 6 months to 1 year.
  - (3) David Harrington– 08-49 through 08-57, 09-02, 09-03 and 09-07 Misfiled in wrong county by Harrington Attorney. Appeal now in the Madison Circuit Court. · Briefing and motion to dismiss with be filed with oral arguments and court will make ruling.
- J. Cases to be set for hearing
  - (1) Case 12-45 – William O. Spence · Prehearing Conference Scheduled
  - (2) Case 12-04 – Thomas Biederman · Hearing January 6, 2014 at LaGrange, KY.

- (3) Richard Sceifers – Hearing February 12, 2015 – 9:30 Board office- Harold Brantley, Kathy Mayfield and Thomas Oliver recused themselves from hearing the case. Motion by Kathy Mayfield, second by Thomas Oliver and the Board agreed to allow hearing officer to hear the case per KRS 13B and not a jury of the Board. Roll call –Kathy Mayfield – Yes; Thomas Oliver - Yes.

## MISCELLANEOUS

The Board reviewed and discussed the following information:

- A. Budget Ending October 31, 2014
- B. KREAB 2015 Seminars
- C. KREAB 2015 Board Meeting Dates – Motion by Kathy Mayfield, second by Thomas Oliver and the Board accepted the 2015 meeting dates. Roll call –Kathy Mayfield – Yes; Thomas Oliver - Yes.
- D. 2015 Holidays for State Personnel
- E. Novo Appraisal Management Company Renewal – Motion by Thomas Oliver, second by Kathy Mayfield and the Board tabled the discussion until the Board could obtain additional information on the action brought against Novo. The Board agreed to extend the renewal until December 31, 2014. Roll call –Kathy Mayfield – Yes; Thomas Oliver - Yes.
- F. 201 KAR 30:030 – Motion by Kathy Mayfield, second by Thomas Oliver and the Board agreed to proceed with regulation change as presented. Roll call – Kathy Mayfield – Yes; Thomas Oliver - Yes.
- G. 201 KAR 30:040 – Motion by Kathy Mayfield, second by Thomas Oliver and the Board agreed to proceed with regulation change as presented. Roll call – Kathy Mayfield – Yes; Thomas Oliver - Yes.
- H. 201 KAR 30:190 - Motion by Kathy Mayfield, second by Thomas Oliver and the Board agreed to proceed with regulation change as presented. Roll call – Kathy Mayfield – Yes; Thomas Oliver - Yes.
- I. AMC Recovery Fund Requirements - Motion by Kathy Mayfield, second by Thomas Oliver and the Board agreed to table until December 2014 Board meeting. Roll call – Kathy Mayfield – Yes; Thomas Oliver - Yes.
- J. Motion by Thomas Oliver, second by Kathy Mayfield and the Board designated Larry Disney and/or Tom Veit as spokesperson for the Board at the regulation hearing. Roll call –Kathy Mayfield – Yes; Thomas Oliver - Yes.
- K. 114 AMC renewed and 13 AMC did not renew.
- L. ASC Review – March 25-27, 2015
- M. December Board Meeting – December 19, 2014

Motion by Thomas Oliver, second by Kathy Mayfield and the Board unanimously agreed to adjourn the meeting.

  
Chair

  
Staff Assistant